IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

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CIVIL WRIT No. 5262 of 2005

VIJAY KUMAR MAHATMA
V/S
STATE & ORS.

Mr. PC SHARMA, for the appellant / petitioner

Mr. SN TIWARI DY. G.A., for the respondent

Date of Order : 24.4.2006

HON'BLE SHRI N P GUPTA,J.

ORDER

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The case is listed in the cause list at S.No. 124, and in accordance with the note published in the cause list, this was mentioned to the court master as urgent matter. With the consent of learned counsel for the parties the matter was heard.

It is not in dispute that this Court vide judgments rendered in number of writ petitions including S.B.C.W.P. No. 1630/95 (Ramsingh Purohit Vs. State of Rajasthan & Ors.), 1784/95 (Madan Lal Sharma Vs. State of Rajasthan & Ors.) and 1785/95 (Mohan Lal Sharma Vs. State of Rajasthan & Ors.) decided on 17.1.2003, has set aside the order dated 31.3.95 (Annex.4 in the present writ petition). This judgment has been upheld by the Division Bench in D.B.Civil Special Appeal No. 03998/03 (The State of Rajasthan & Ors. Vs. Ramsingh Purohit) decided on

14.5.2004. Likewise, another Single Bench in S.B.C.W.P.No. 3311/04 (Parsu Ram Vs. State of Rajasthan & Ors.) decided on 20.1.2005 has followed this judgment, so also in S.B.C.W.P. No. 4574/05 (Parasmal Jain Vs. State) decided on 2.1.2006 the aforesaid judgments have been followed by this Court. In that view of the matter, it would suffice to say that the matter involved in the present writ petition is squarely covered by the judgment of this Court in Ramsingh's case.

Accordingly, the writ petition is allowed in terms of the relief granted in Ramsingh's case. The petitioner, for the same reasons is held entitled to the same relief as given in Ramsingh's case.

( N P GUPTA ),J.

/Sushil/